



Appl. No. 10/713,226

### **REMARKS**

Claims 21-22, 47-48, 53 and 54 are pending in the present application.

#### **Withdrawal of Previous Rejections**

Applicants acknowledge with appreciation the withdrawal of the previous rejections.

#### **Rejection of under 35 USC 102(e)**

Claims 21, 22, 47, 48, 53 and 54 stand rejected under 35 USC 102(b) as being anticipated by Kamoto et al '183 (newly-cited). This rejection is respectfully traversed.

In support of the rejection, the Examiner takes the position that "The reference discloses that a nonionic surfactant can maintain the difference of the dynamic surface tension and the static surface tension with a predetermined range." The Examiner further concludes that "The composition as taught by Kamoto et al appears to anticipate the claimed invention."

In response, applicants note that the difference between dynamic surface tension and static surface tension described in the pending claims 21 and 22, and the difference between dynamic

surface tension described in the current claims 47 and 48 are the features of surfactants.

On the other hand, the difference between dynamic surface tension and static surface tension, and the difference between dynamic surface tensions described in Kamoto et al are not characteristics of surfactants, but are values determined in relation to the ink compositions comprising coloring agents, organic solvents, surfactants, binder resins, and water - see Tables 1, 2, 6 and 7 of Kamoto.

Kamoto neither teaches nor suggests the difference between dynamic surface tension and static surface tension, and the difference between dynamic surface tensions with respect to a surfactant, as set forth in pending claims 21, 22, 47 and 48.

As a result, the reference fails to anticipate the claimed invention.

Applicants further note that the effective date of the reference is September 22, 2003. Applicants' claimed priority date is November 15, 2002 (based on two corresponding Japanese priority applications). Applicants' claimed priority date thus antedates the effective date of the cited reference.

In view of the above, the rejection is without basis and should be withdrawn.

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The application is now in condition for allowance and an early indication of same earnestly is solicited.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact James W. Hellwege (Reg. No. 28,808) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

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